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| TRANSMITTAL FORM  To be used for all correspondence after initial filing)   |  |   | Application Number                                    | er  | 09/942,537  |                      |
|   |  |   | Filing Date   | [,  | August 29, 2001   |                      |
|   |  |   | First Named Inventor                                  |   | Buskirk, et al.   |                      |
|   |  |   | Group Art Unit  |   | 3738  |                      |
| MARIE   |  |   | Examiner Name   | _   | A. Stewart  |                      |
| Total Number of Pages in This Submiss   |  | sion 11   | Attorney Docket N                                     | lumber  | RTI-143/01915/13879US01   |                      |
| ENCLOSURES (check all that apply)   |  |   |   |   |   |                      |
| Fee Transmittal Form Fee Attached  Response Under 37 CFR §1.116 After Final Affidavits/declaration(s)  Extension of Time Request  |  | Petition  Petition to C Provisional A   | cation) ( sheets) lated Papers onvert to a pplication | to Gr App of Ap Of App (Appe                                | ter Allowance Communication Group  ppeal Communication to Board Appeals and Interferences  ppeal Communication to Group ppeal Notice, Brief, Reply Brief)  oprietary Information  atus Letter |                      |
| Express Abandonment Request  Information Disclosure Statement  PTO 1449/08A with references  Certified Copy of Priority Document(s)   |  | Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD Number of CD(s) |   | Other Enclosure(s) (please identify below):  Reply postcard |   |                      |
| Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53   |  | Remarks   |   |   |   |                      |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |  |   |   |   |   |                      |
| Firm<br>or<br>Individual Name   | irm Donald J. Pochopien, Reg. No. 32,167 |   |   |   |   |                      |
| Signature   |  |   |   |   |   |                      |
| Date August 16, 2004  |  |   |   |   |   |                      |
| CERTIFICATE OF MAILING  |  |   |   |   |   |                      |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2004 |  |   |   |   |   |                      |
| Name (Print/type) Donald J. Poons   |  | piyen (   | Registration No. (Attor                               |   | t)  | 32,167               |
| Signature   | (Ind                                     | V Oro   | Kronen  |   | Date  | 08/16/2004           |



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Buskirk, et al.

Serial No.: 09/942,537

Filed: August 29, 2001

For: "SOFT AND CALCIFIED TISSUE

**IMPLANTS"** 

Group Art Unit: 3738

**Examiner:** A. Stewart

## **CERTIFICATE OF MAILING**

I hereby certify that this paper (and all papers referred to herein) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

August 16, 2004.

Donald J. Pochopien Registration No. 32,167 Attorney for Applicants

## **RESPONSE UNDER 37 CFR § 1.116**

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Official Action of 05/20/2004 (Office Action), for which a response is due 08/20/2004, Applicants request entry of the following amendments which place the allowable subject matter in condition for allowance.

Amendments to the Claims: Page 2

Remarks Page 8

Arguments Page 9